



August 11, 2021

Ms. Cindy Hailes, PE
Oklahoma Department of Environmental Quality, Land Protection Division
707 N. Robinson Avenue
Oklahoma City, OK 73102

**Re: Miller Environmental Transfer, LLC
Solid Waste Permit# 3572060
Permit Modification**

Dear Ms. Hailes:

In accordance with permit condition C.12 of our permit, please find the enclosed permit modification documents for the addition of an ENCON thermal evaporator, model NxxV4-400 for the processing of NHIW wastewaters at our Non-Hazardous Industrial Waste Processing facility located at 3800 South Elwood Avenue in Tulsa, Oklahoma.

Enclosed you will find the following:

- Process description and other summaries to address regulatory references outlined in your email dated February 1, 2021, namely OAC 252:515-3-31(c)(1) and (2) and OAC 252-515-3-36(a).
- Copy of the ENCON Evaporators- Model NxxV4-400 product literature.
- Apex air permit applicability determination dated January 22, 2021.
- Building drawing map showing the proposed location of where the until will be located in our process area.
- Sisemore & Associates Tract A legal description dated July 12, 2021 with surveying exhibit.
- Redline/strikeout revised permit application Appendix B to account of evaporator and facility's permit boundary.
- Additional Assessor property search for tract A.
- Redline/strikeout revised Waste Exclusion Plan to account for evaporator.
- Copy of a revised Lease agreement to include both tracts A & B for property boundary expansion.
- Copy of a revised temporary easement to include both tracts A & B for property boundary expansion.

It should be noted that the addition of these units are for the purpose of having an alternate method of managing NHIW wastewaters as was currently described in our permit application through the POTW. These waters will be received and stored in the same manner as described in our permit application and will not increase the 100,000 gallons per day currently stated in our permit.

This is being re-submitted as a Tier III permit modification based on the letter from Ms. Hillary Young, PE, that we received on March 23, 2021. In addition to the request to add the evaporators, we are also

the existing building on Tract A of the expanded facility boundary will not be processing any NHIW at this time.

As requested, we will give the agency several days to upload this permit modification application into your website so it is ready and available for review in time for the public notice in the Tulsa World. If you have any questions or comments please feel free to contact myself at (918)695-2368, email:

bob.kennedy@millerenvtransfer.com or Todd Ray at (918)633-7800, email: todd@millerenvtransfer.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert K. Kennedy", with a long, sweeping flourish extending from the end of the signature.

Robert K. Kennedy, Manager Environmental Services

Enclosures

Wastewater Evaporation

In order to assist our clients in meeting their corporate goals and objectives of recycling, re-use and zero-landfill initiatives, we have determined that evaporation of NHIW wastewaters is a cost effective and viable method of recycling by ultimately returning water to the atmosphere and is a significant form of volume reduction of NHIW, which is stated in our permit as one of the processes for managing incoming waste materials. Therefore, in addition to NHIW wastewaters being received and processed to the POTW as currently described in our permit, we would like to have the alternative method of evaporation available.

Process Description

NHIW wastewaters, which may be a candidate for evaporation, will be received as described in our current permit by railcar, tanker truck or containers. These waters will be profiled, as all other NHIW, into the facility with the inbound loads tested for pH and flashpoint to determine they are non-hazardous.

NHIW wastewaters will be placed into tanks or frac tanks currently described in our permit. At this time no additional storage capacity will be required and the total daily processing volume for NHIW wastewater received into the facility will be exceeded from the permitted limit of 100,000 gallons per day.

The ENCON Model NxxV4-400 is a thermal evaporator that runs on natural gas and can evaporate wastewater at a rate of 400 gallons per hour (gph) or 9,600 gallons per day (gpd). Enclosed is literature regarding the specifications of the unit.

This process will be contained indoors and the exhaust vapor from the unit will be vented through the building to the outside. Miller has already contracted with an outside environmental consulting company which has determined that emissions from the operation of this unit are de minimus and an ODEQ air permit to operate this piece of equipment will not be required.

In general, NHIW wastewaters will be evaporated to remove 98% of the water leaving 2% or less residues as a "blowdown" concentrate. We realize that these residues are now considered Miller Environmental Transfer process wastes and will be managed according to permit condition E.10 as required in OAC 252:15-19-93 (Residue Management). We are aware that inbound NHIW wastewaters may have constituent levels that, once concentrated through evaporation, may exceed TCLP thresholds and these residues become hazardous wastes. The analytical test results during the profiling process for these potential wastestreams will be used to determine if they would be a good candidate for evaporation and if so, what percent evaporation can be achieved while maintaining NHIW status of the residues. Blow down residues will be collected in containers such as totes and tested. If results

determine the residues are non-hazardous, they will be solidified for off-site shipment to the waste to energy or landfill disposal facilities. If testing of these residues determines that they are hazardous wastes, the facility will manage this material in accordance with the RCRA regulations as a hazardous waste generator. The amount of hazardous waste generated will determine the generator status of either VSGQ, SQG, or LQG.

Once the evaporator residues of inbound wastestreams have been tested several times and shown to be non-hazardous, the residues of those wastestreams will be tested at least annually as a spot check.

Regulatory Requirements

OAC 252:515-3-31(c) Modifications required.

(1) The permit must be modified before making any changes to the approved design, construction, or operation of the facility. (2) The modification application shall contain any maps, drawings, plans or other documents identified in this Subchapter to ensure the modification will be in compliance with the applicable requirements of this Chapter.

This submittal, with the updated building drawing showing the location of the evaporator unit as well as the manufacturer's specifications are being provided for this purpose. You also stated in your February 1, 2021 email to include in the application the information pertinent to the changes in our process. Therefore, with regard the OAC 252:515-3-36(a) the following is provided:

OAC 252:515-3-36(a)(7)- a description of all processing, storage and disposal operations and units;

NHIW wastewaters will be received in railcars, tanker trucks or containers as is currently described in the permit. In addition, the storage tanks likewise will be as described in the current permit. The only additional volume will be in the evaporator itself, which is 1,428 gallons. As stated earlier, NHIW wastewater residues (blowdown) will be placed into containers and once tested and determined to be non-hazardous, will be processed further for waste to energy or direct landfill. From time to time, the evaporator will require cleaning and those residues will be tested as described above to determine their disposition. The evaporator unit is designed to operate 24/7 and we will determine hours of operator based on inventory of waters to be processed.

OAC 252:515-3-36(a)(8)- a description of the anticipated wastestreams, and amount received per day;

The types of wastestreams anticipated for this process will be non-hazardous wastewaters that are predominantly water, as this will be an evaporation process, ideally with a 95-98% water. The amount received will be below the permitted volume of 100,000 gallons per day and the need to increase the permitted volume in our permit will not be necessary.

OAC 252:515-3-36(a)(13)- maps and drawings as required by Parts 5 and/or 7 of this Subchapter;

As discussed earlier, a copy of the revised facility drawing is included in this submittal to satisfy this requirement.

OAC 252:515-3-36(a)(14)- data, plans and specifications for the following;

(B) a plan describing how compliance with the stormwater management of Subchapter 17 of this Chapter will be achieved;

The evaporator unit and all processes for operating it will be contained indoors and will not come in contact with stormwater.

(C) plans for the closure of the facility in accordance with Subchapter 25 of this Chapter;

In the event of facility closure, the only additional costs that would be associated with the this new process unit would be the labor and disposal for cleaning of evaporator reservoir itself. The volume of waste destined for treatment in this unit is already accounted for in the current closure cost estimate for the overall storage of waste in tanks. The additional volume for cleaning/decommissioning the evaporator would be a negligible volume of <200 gallons we would expect.

OAC 252:515-3-36(a) Permit Modification Applications. An applicant requesting a modification to an existing permit shall submit information identified in this Part related to the proposed modification.

We believe this submittal satisfies this requirement.

Heat Source: **Natural Gas** Evaporation Rate: **400 GPH**

NxxV4-400



NxxV4-400

ENCON THERMAL EVAPORATOR

- Handles Different Wastewater Streams Simultaneously
- Easy to install and operate
- Dramatically Reduces Disposal Volume and Cost

ENCON Thermal Evaporators and Distillation Systems are engineered to provide you with an effective and economical method of wastewater minimization. All ENCON systems are assembled with the highest quality components, ensuring years of trouble free operation.

Available in a wide range of standard capacities, 8 to 400 gallons per hour, these systems have a compact footprint and can exhaust clean vapor to atmosphere or capture clean condensate with an optional condenser.

The V4 integrated control and monitoring system offers control of every aspect of the evaporation process and features a 7" widescreen touch panel. The mist eliminator captures unwanted contaminants before exhausting, thus enabling you to comply with today's stringent emissions regulations.

Model Number Nomenclature

- N** Heat source, in this case Natural Gas
- X** Tank material of construction. Standard is 316ss. Higher alloys available.
- X** Heat exchanger material of construction. Standard is 316ss. Higher alloys available.
- V4** System controls, in this case Koyo Click PLC & Automation Direct C-more HMI
- 400** System evaporation rate based on tap water, in this case 400 GPH

MADE IN THE USA



NxxV4-400 SPECIFICATIONS

PHYSICAL	EVAPORATION UNIT	CONDENSER UNIT	
System Dimensions (L x W x H):	199" x 101" x 130"	199" x 131" x 118"	
System weight (empty):	10200 lb	11600 lb	
Crated dimensions (L x W x H):	204" x 102" x 115"	199" x 131" x 118"	
Crated system weight:	10200 lb	11900 lb	
Condenser size:	N/A	12"Ø x 48"L	
Cooling water inlet/outlet diameter:	N/A	4" FNPT	
Draft inducer outlet diameter:	N/A	8"	
Draft inducer:	N/A	5 HP, 1725 RPM	
Exhaust blower outlet diameter:	16"		
Exhaust stack diameter:	16"		
Exhaust blower:	6000 CFM, 10 HP, 1725 RPM, Variable Frequency Drive		
Evaporator feed connection:	1" FNPT		
Evaporator residue connection:	6" Flanged Cap with 1-1/2" FNPT coupling		
Heat exchanger:	Elevated with Cylindrical Firing Chamber		
Tank capacity:	1192 gallons @ Low Level, 1428 gallons @ Auto Level, 1569 gallons @ High Level		
Evaporation capacity:	400 Gallons/Hour, 9600 Gallons/Day, 67200 Gallons/Week, 3504000 Gallons/Year		
UTILITIES	EVAPORATION UNIT	CONDENSER UNIT	
Cooling water:	N/A	334 GPM @ 90 °F (209 RT)	
Burner type:	Direct spark ignition. Units 96gph and larger include FM gas train.		
Total system throughput:	4,544,000 Btu/hr		
Gas supply pressure required:	0.5-2.0 PSI of Natural Gas		
Gas connection:	2" FNPT (Manifold)		
Electrical requirements:	480 VAC, 3 PH, 60 Hz, 26.4 FLA		
FABRICATION	316SS VERSION	6& MOLY VERSION	HASTELLOY VERSION
Tank:	316L Stainless Steel, 14 ga	6% Molybdenum, 14 ga	Hastelloy, 14 ga
Heat exchanger:	316L Stainless Steel, 11 ga	6% Molybdenum, 11 ga	Hastelloy, 11 ga
Mist eliminator pad:	316L Stainless Steel		
Skins and lids:	Polished 304 Stainless Steel, 18 ga		
Insulation:	All 6 sides rated to 450F, R = 4.3		
CONTROLS	ALL UNITS		
Burner controller:	Honeywell with Spark Ignition, loss of airflow shutdown		
Temperature controls:	Type J Thermocouples with 4-20 mA analog input Monitoring of liquid and heater temperature		
Control inputs:	Frequency Shift Level Probes and Exhaust Fan Proving Switch Redundant Low Level Shut-off		
Remote connection:	Ethernet port for direct connection by ENCON Engineers		
Control panel:	UL Listed, NEMA 4, PLC Control Panel 7" widescreen touch panel Human Machine Interface (HMI) Main power selector switch and indicator lights for main power, heater(s) and alarms Full data logging, alarm management, and trend screens		
QUALITY	ALL UNITS		
Pressure test:	Pressure leak test performed on every heat exchanger		
Leak test:	Dye penetrant test performed on tank welds		
I/O simulation:	All I/O and controls are fully tested to insure accuracy/functionality		
Combustion Analysis:	Test for excess oxygen and gas exit temperature		
Warranty:	Two years for parts and workmanship issues		

Process Description of Natural Gas ENCON Evaporator

- 1 Wastewater is collected in a holding tank, sump or pit upstream of the evaporator
- 2 Water is either pumped or gravity fed into the evaporator through a 1" NPT fitting on lid.
- 3 The evaporator is equipped, as standard, with three level probes:
 - a) The Low Level Probe acts as a safety.
 - b) The Auto Level Probe controls water level in tank and the burner(s) operation (on/off) when in Auto Run Mode
 - c) The High Level Probe acts as a redundancy to the auto level.
4. Upon initiation of Auto Run Mode, wastewater water will flow into the evaporator tank. The wastewater feed will stop and the burner(s) will light when the Auto Level Probe is covered.
5. Once the fluid comes to a boil and the evaporation process begins, the liquid level in the evaporator will begin to fall. The feed/refill sequence will activate a set amount of time after the Auto Level Probe is uncovered. When the feed cycle is initiated, fresh wastewater will be fed into the evaporator until the fluid reaches the Auto Level Probe.
6. When activated, the burner(s) will fire into the combustion area of the heat exchanger. The hot gases travel around the vertical tubes inside the heat exchanger until they reach the insulated chimney outside the evaporator tank. There are two ways the flue gases and water vapor may be vented:
 - a) If the customer has chosen an Evaporation Unit (vent to atmosphere), the hot gases are pulled back into the Evaporator above the liquid level and drawn across the water's surface by the exhaust blower. The exhaust blower pulls the combined water vapor and flue gases through the mist eliminator and pushes them through the stack to the outside of your building.
 - b) If the customer has chosen the "closed loop" Distillation Unit (condenser package), the hot gases are not pulled back into the Evaporator. Instead, the flue gases are vented separately up their own exhaust stack. The blower pulls only the water vapor through the mist eliminator and pushes it through the connection from the blower exhaust to the inlet side of the condenser, which is horizontally mounted, on the backside of the evaporator tank. The water leaving the condenser is separated from the air stream and directed to an automated condensate sump while the air stream is returned to the evaporator.
7. As long as there is wastewater available to the evaporator, this process will continue until either the fluid temperature reaches the target endpoint temperature or the cycle timer counts down to zero. If the feed tank level probe detects a low level condition, the evaporator will de-energize the heaters and wait for the feed tank level to recover.
8. The concentrated fluid is purged from the evaporator, after which a new evaporation cycle may commence.

THE ENCON ADVANTAGE

High Quality Components and Superior Design



V4 Integrated Control and Monitoring System

The most advanced control and monitoring system for thermal evaporators in the industry. The NEMA 4 PLC control panel with touch panel provides continuous monitoring of flue gas, chimney and liquid temperatures as well as continuous probe diagnostics. Offers datalogging, alarm management, remote access through browser or app and control system integration through Modbus TCP/IP.

7" Widescreen Touch Panel

The large 7" touchscreen combined with a completely redesigned HMI offers control of every aspect of the evaporation process while at the same time being completely intuitive for daily operation.



Evaporator Safety

Critical components are operated by the control circuit through the PLC with appropriate control interlocks. The safety circuit monitors all emergency STOP conditions. The control circuit is interrupted by the safety circuit which includes a safety relay (with force guided contacts) and a redundant contactor setup.



Level Sensing

Tuning fork level probes provide reliable auto-filling and shutdown operations even in conditions of severe foam. The durable level probes are made of stainless steel for excellent corrosion resistance. Hastelloy level probes are available for highly corrosive applications.

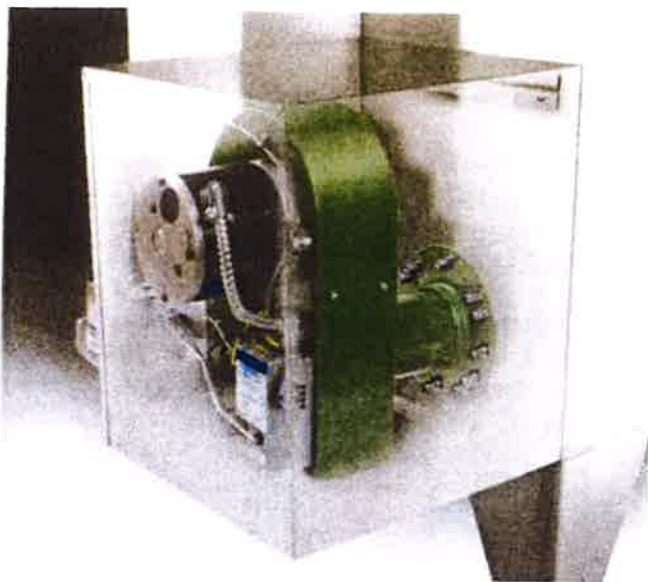
Blower System

Thermal units, 72 gallons per hour and smaller, use a 1725 RPM, TEFC motor with class B insulation rated for high temperatures. The unit's design provides extremely quiet operation with as much as three times the longevity of 3450 RPM motors. Larger units use variable frequency drive motors which maximize motor longevity.



THE ENCON ADVANTAGE

High Quality Components and Superior Design



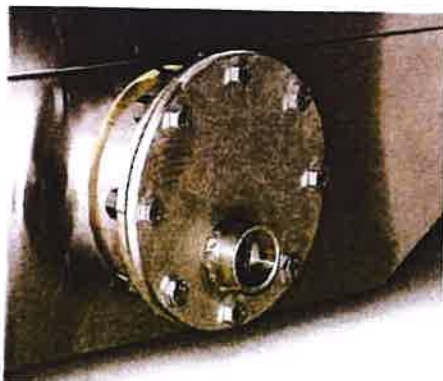
Forced Draft Blower

Each gas or propane fired system consists of a burner with an integrated blower, that along with the induction from the exhaust blower, supplies make-up air for combustion. It also includes: Honeywell controls, gas pressure gauge, airflow detection and lockout, spark ignition, and a redundant main valve and burner contactors for maximum safety.

FM gas trains and gas flow transmitters are standard on systems 96gph and larger. The stainless steel burner protection shroud is mounted on a track hanger for ease of removal and reattachment. Other combustion heat sources such as oil, diesel and waste oil are available. Non-combustion heat sources such as electricity, steam and waste heat are also offered.

Mist Eliminator System

The stainless mesh filter is designed for easy removal from its compression fir housing. The system is monitored for contaminant loading and airflow, which is interfaced to the control panel for maximum operator feedback.



Cleanout Flange

Large six inch cleanout* with flange cover and a 1 1/2" NPT fitting for pump connection and ease of residue removal.

* Four inch cleanout on 8 and 10gph models



January 22, 2021

SENT BY EMAIL

Mr. Bob Kennedy
Miller Environmental Transfer
Tulsa, OK
(bob.kennedy@millerenvtransfer.com)

**Subject: Air Permit Assessment
Thermal Evaporator**

Dear Mr. Kennedy:

Apex is providing an air permit applicability determination for operating a gas-fired evaporator unit to cause volume reduction for a specific non-hazardous wastewater stream. Apex is providing a summary of the emission estimate calculations and a regulatory assessment as a standalone process. Please note that if the process is operating with other emissions sources, then the combined air emissions would need to be evaluated for air permitting requirements as well.

Process Description

1. Thermal Evaporator Burner (See Attachment)

- Make/model: ENCON EVAPORATORS / NxxV4-400
- Evaporation Rate Capacity: 400 gal/hr
- Heater Capacity: 4.544 MMBTUH
- Fuel Source: Natural Gas
- Controls: none

2. Thermal Evaporator Wastewater

- Source: P/G Wastewater
- Volume: 1.5MM gal/yr
- Analysis: (see attached)

Emissions Calculations

Natural Gas Burner:

Natural Gas Combustion Emissions		
Criteria Pollutant	Emission Factor ^a (lb/MMscf)	Emissions (TPY)
NOx	100	1.95
CO	80	1.56
VOC	5.5	0.11
PM	7.6	0.15
SO2	0.6	0.01

^a AP 42

Burner Capacity:	4.455	MMBTUH
Operating hours:	8,760	hr/yr
Gas Heat Quantity:	1,000	Btu/scf
Gas heat (MMBtu/yr):	4.455 x 8760	= 39,026
Gas volume (MMscf/yr):	39,026 / 1000	= 39.03

$$\text{Emissions (NOx)} = (39.03 \text{ MMscf/yr}) \times (100 \text{ lb/MMscf}) / (2000 \text{ lb/ton})$$

Thermal Evaporator Emissions:

VOC Emissions from Evaporation				
VOC Pollutant	Concentration	VOC Emissions		
	(mg/L)	(mg/yr)	(kg/yr)	(tpy) ^a
Isopropylbenzene	0.008	32,331	0.03233	0.00004
C10-28 Diesel Range	9.71	40,983,331	40.98333	0.04508
C28-40 Oil Range	1.49	6,288,894	6.28889	0.00692
VOC total	11.21	47,304,556	47.30456	0.05204
1,4 Dioxane	0.005	22,454	0.02245	0.00002
TOTAL				0.104

Volume of Water:	1,115,000	gal/yr	
Volume of Water (lit):	4,220,734	lit/yr	(3.785412 lit/gal)
^a	0.0009842	ton/kg	

Regulatory Assessment/Conclusion:

Facility process as a standalone unit does not trigger the need for an air permit based on the very low emissions levels. The operation would qualify as permit exempt due to facility emissions being less than 40 TPY for each of the regulated pollutants generated onsite and also generating less than 10 TPY of any federally defined "Hazardous Air Pollutant" or a total of 25 TPY of Hazardous Air Pollutants.

The facility is not subject to any NSPS or NESHAPs which would prevent it from achieving its permit exempt status. This determination is based on the single process of evaporating a wastewater stream and other processes at the facility could trigger the need for an air permit.

Note: If the proposed process were to ever be combined with other site air emissions sources, and any of those individual sources or the combination of all sources at the facility were to trigger a requirement for an air permit, then the proposed evaporation unit would be required to operate under the terms of that facility air permit.

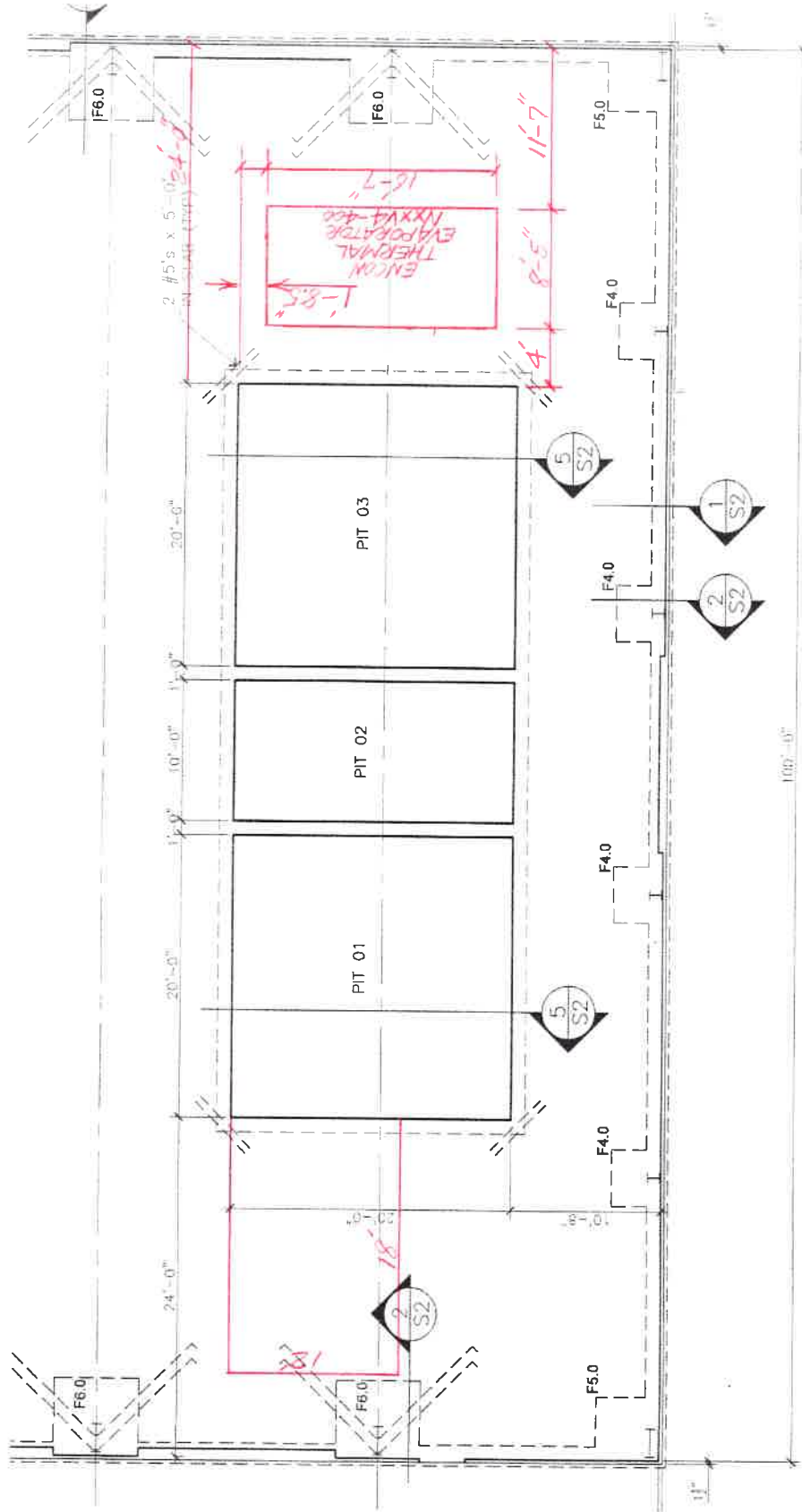
Please let me know if you have any questions or wish further information pertaining to our assessment. And thank you for allowing us to assist you with this project.

Sincerely,



Tom Blachly
Program Manager

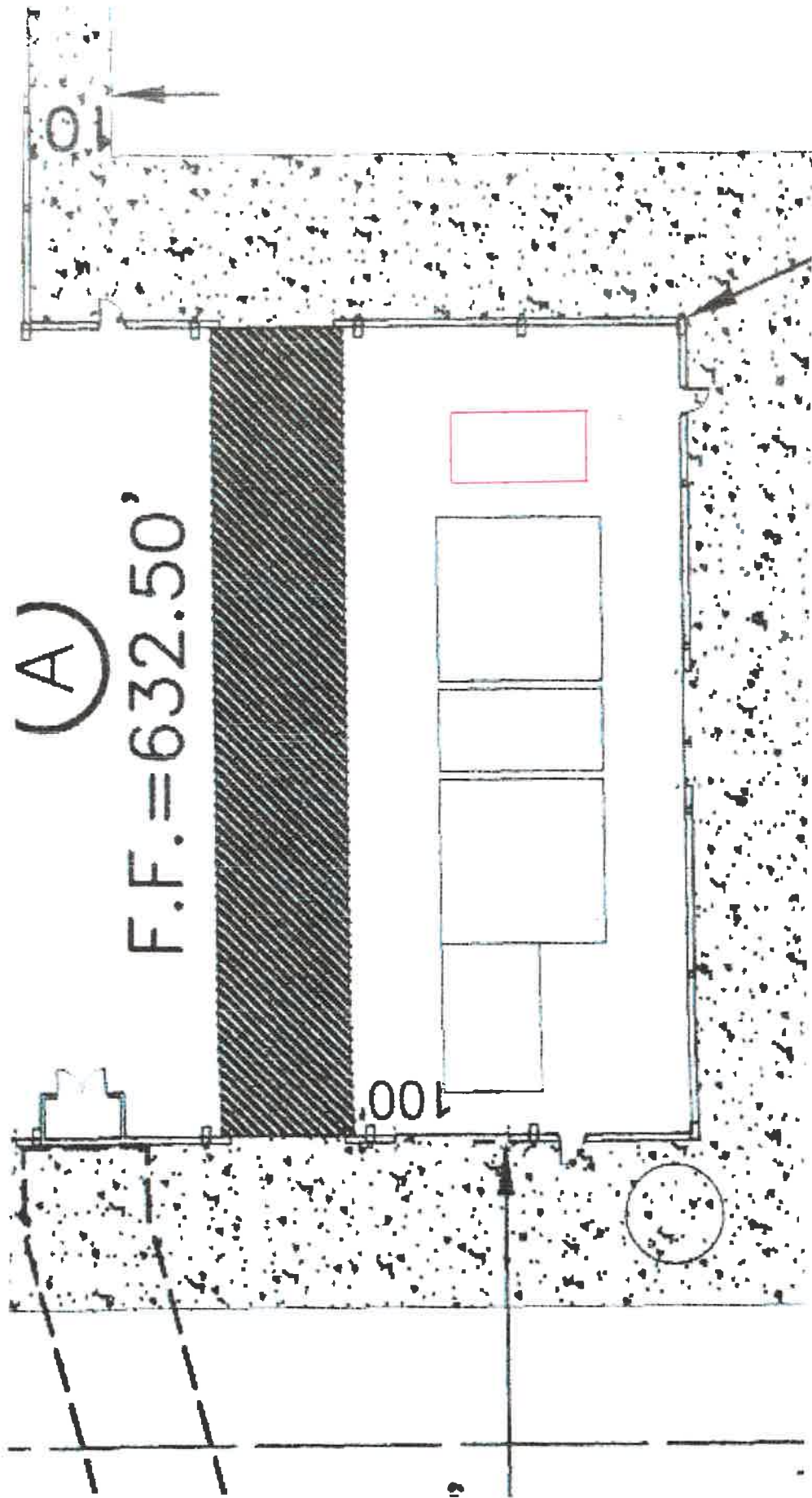
Attachments as Described



FOUNDATION PLAN
 SCALE: 1/8" = 1'

101" = 8'-5"
 199" = 16'-7"

STRESSON
 DATE: 12-3-20

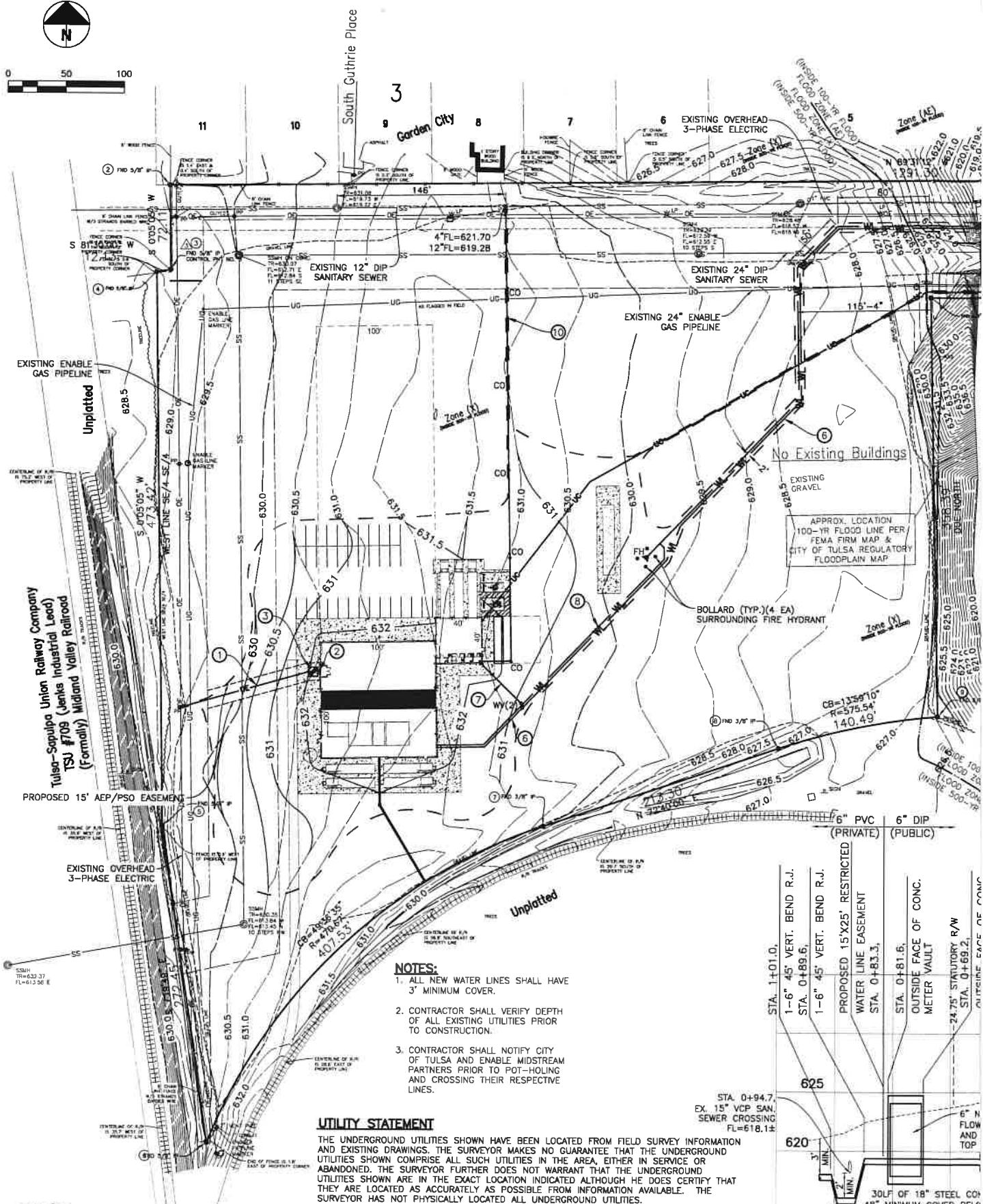


(A)

F.F. = 632.50'

100

SCALE 1" = 12.5'



THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES.

△ CONTROL POINT #1	△ CONTROL POINT #2	△ CONTROL POINT #3
BENCH-MARK	SET 3/8" IP	FND 5/8" IP
CHISELED SQUARE	ELEV.=627.81	ELEV.=629.37
IN CONCRETE	N=409351.50	N=409338.16
ELEV.=627.16	E=2561183.07	E=2559832.69
N=409279.83		
E=256190.15		



STA. 0+99.0, 48 MINIMUM COVER BELOW
1-6" 45° VERT. BEND R.J.
STA. 0+93.0, STA. 0+40
1-6" 45° VERT. BEND R.J. 610 EX 18" DIP SAN. SEWER CROSSING
FL=612.9;
1+00
6" FIRE SUPPRESSION WATER
HORIZONTAL S
VERTICAL S

EXISTING FIRE HYDRANT FLOW TEST: 07/30/2020
 STATIC PRESSURE: 116.0 PSI
 RESIDUAL PRESSURE: 42 PSI
 FLOW: 1,058 GPM
 FLOW HYDRANT: W. 37TH PL. S. & S. ELWOOD AVE.
 GAUGE HYDRANT: W. 36TH ST. S. & S. ELWOOD AVE.

EXISTING 15" DIP
 SANITARY SEWER

EXISTING 18" DIP
 SANITARY SEWER



BRIAN A. CASEMENT, P.E.
 ENGINEER OF RECORD

DATE	REVISION	BY
04/19/21	CITY APPROVED RELOCATED ACCESS WITH S. ELWOOD AVE.	BC
06/11/21	CITY AND OWNER CHANGES	BC

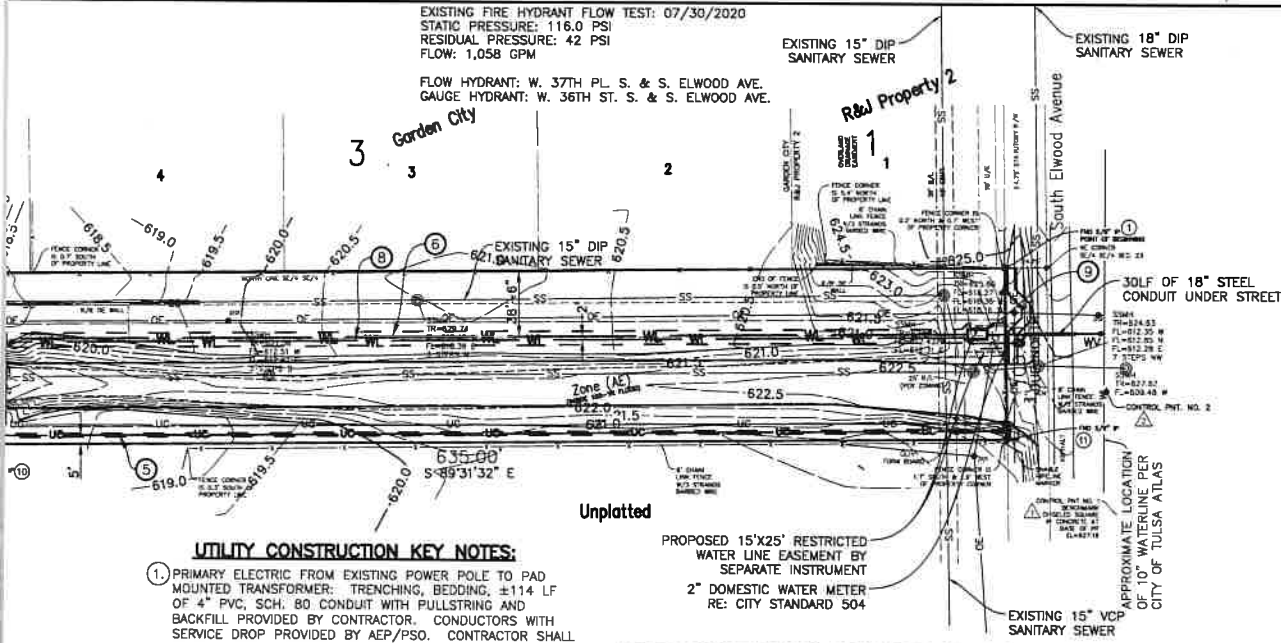
CASEMENT ENGINEERING, LLC
 CIVIL AND AGRICULTURAL SERVICES
 P.O. Box 688
 Owasso, OK 74055-0688
 MOBILE: 918.740.7650
 EMAIL: BCASEMENT5@YAHOO.COM
 CERTIFICATE OF AUTHORIZATION NO. 5433
 EXPIRES JUNE 30, 2022

THIS DRAWING IS PREPARED FOR USE ON A DIFFERENT PROJECT SITE OR FOR ANOTHER PROJECT WITHOUT THE REQUIREMENT OF THE ENGINEER'S APPROVAL OF THIS DOCUMENT WITHOUT THE RECORD IS PROHIBITED.

MILLER ENVIRONMENTAL TRANSFER, LLC
 MATERIAL PROCESSING FACILITY
 3804 S. ELWOOD AVE. W.
 TULSA, OK 74107

DRAWN BY: BC
 APPV. BY: BC
 DATE: 12/07/2020

CITY ATLAS PAGE NO. 140
 SHEET C3

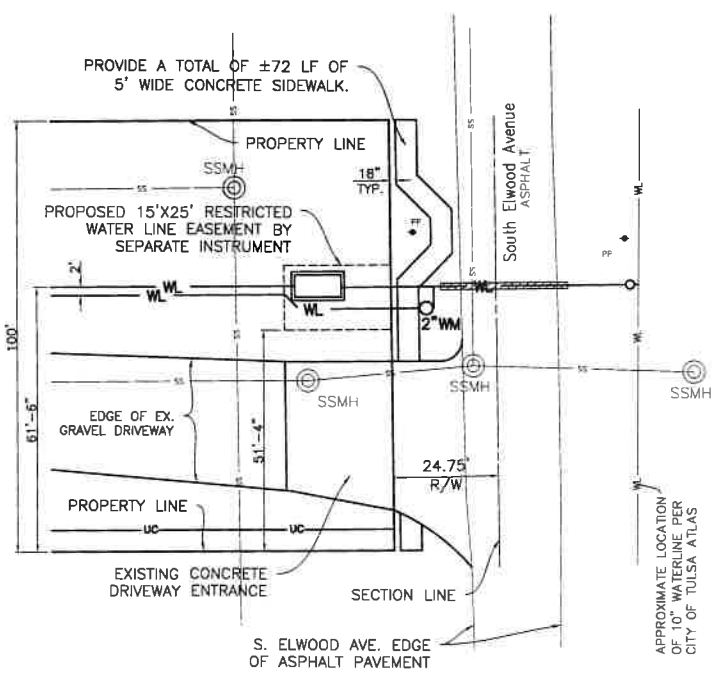
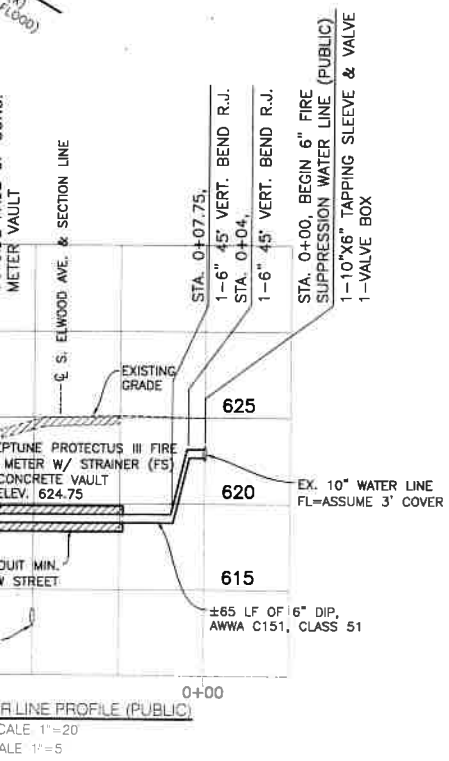


UTILITY CONSTRUCTION KEY NOTES:

- PRIMARY ELECTRIC FROM EXISTING POWER POLE TO PAD MOUNTED TRANSFORMER: TRENCHING, BEDDING, ± 114 LF OF 4" PVC, SCH. 80 CONDUIT WITH PULLSTRING AND BACKFILL PROVIDED BY CONTRACTOR. CONDUCTORS WITH SERVICE DROP PROVIDED BY AEP/PSO. CONTRACTOR SHALL COORDINATE WITH AEP/PSO AND PAY ALL FEES AS MAY BE NECESSARY OR REQUIRED.
- SECONDARY ELECTRIC FROM PAD MOUNTED TRANSFORMER TO PROCESSING BUILDING: TRENCHING, BEDDING, ± 10 LF OF 4" PVC, SCH. 40 CONDUIT WITH CONDUCTORS AND BACKFILL PROVIDED BY CONTRACTOR.
- CONCRETE PAD FOR TRANSFORMER PROVIDED BY CONTRACTOR. TRANSFORMER AND METER PROVIDED BY AEP/PSO. CONTRACTOR SHALL COORDINATE WITH AEP/PSO AND PAY ALL FEES AS MAY BE NECESSARY OR REQUIRED.
- NATURAL GAS SERVICE FROM S. ELWOOD AVE. TO PROCESSING BUILDING: TRENCHING, BEDDING, ± 7 LF OF 1 1/2" POLY AND BACKFILL PROVIDED BY CONTRACTOR. CONTRACTOR SHALL COORDINATE WITH ONG AND PAY ALL FEES AS MAY BE NECESSARY OR REQUIRED.
- COMMUNICATIONS (TELE, CABLE, CCTV & FO) FROM S. ELWOOD AVE. TO RECEIVING TRUCK DOCK BUILDING: TRENCHING, BEDDING, $\pm 1,123$ LF OF 4" PVC, SCH. 80 CONDUIT WITH TELE, CABLE, CCTV AND/OR FO AND BACKFILL PROVIDED BY CONTRACTOR. CONTRACTOR SHALL COORDINATE WITH AT&T AND PAY ALL FEES AS MAY BE NECESSARY OR REQUIRED.
- DOMESTIC WATER SERVICE FROM S. ELWOOD AVE. TO PROCESSING BUILDING: TRENCHING, BEDDING, BACKFILL AND $\pm 1,337$ LF OF 3" PVC, SCH. 80 WATER LINE. INCLUDES 2" METER AND SETTING, METER CAN, 2" TAP, TWO SEPARATION VALVES (3" AND 1-1/2") IN SEPARATE VALVE BOXES WITH CONCRETE COLLARS AND FITTINGS ALL PROVIDED BY CONTRACTOR. CONTRACTOR SHALL COORDINATE WITH THE CITY OF TULSA AND PAY ALL FEES AS MAY BE NECESSARY OR REQUIRED. CITY STANDARDS 313, 504 AND 507.

UTILITY CONSTRUCTION KEY NOTES (CONT.):

- DOMESTIC WATER SERVICE FROM 3" WATER LINE TO RECEIVING TRUCK DOCK BUILDING: TRENCHING, BEDDING, BACKFILL AND ± 53 LF OF 1-1/2" PVC, SCH. 80 WATER LINE INCLUDING FITTINGS ALL PROVIDED BY CONTRACTOR. CONTRACTOR SHALL COORDINATE WITH THE CITY OF TULSA AS MAY BE NECESSARY OR REQUIRED.
- 6" FIRE SUPPRESSION WATER LINE (PRIVATE): PROVIDE TRENCHING, BEDDING, BACKFILL AND $\pm 1,326$ LF OF 6" DIP, AWWA C900, CLASS 200, DR14 AND ± 62 LF OF 6" DIP, AWWA C151, CLASS 51 ENCASED IN POLYWRAP INCLUDING 6" TAP, ± 30 LF OF 18" STEEL CONDUIT UNDER S. ELWOOD AVE. (OPEN CUT STREET). FITTINGS AND FIRE HYDRANT WITH 4 SURROUNDING BOLLARDS. CONTRACTOR SHALL COORDINATE WITH THE CITY OF TULSA AND PAY ALL FEES AS MAY BE NECESSARY OR REQUIRED. SEE WATER LINE PLAN & PROFILE THIS SHEET. CITY STANDARDS 305, 307 AND 309.
- 6" METER STANDARD AND VAULT ASSEMBLY: PROVIDE TRENCHING, BEDDING, BACKFILL AND 6" NEPTUNE PROTECTUS III FIRE FLOW METER W/ STRAINER (FS) AND CONCRETE VAULT WITH ALL NECESSARY FITTINGS. CONTRACTOR SHALL COORDINATE WITH THE CITY OF TULSA AND PAY ALL FEES AS MAY BE NECESSARY OR REQUIRED. CITY STANDARD 529.
- 4" SANITARY SEWER SERVICE: PROVIDE TRENCHING, BEDDING, BACKFILL, FITTINGS, CLEANOUTS WHERE SHOWN, 4" TAP AND ± 413 LF OF 4" PVC, SCH. 80 SANITARY SEWER LINE AT 2.0% MINIMUM SLOPE. CONTRACTOR SHALL COORDINATE WITH THE CITY OF TULSA AND PAY ALL FEES AS MAY BE NECESSARY OR REQUIRED.



S. ELWOOD AVE. DRIVEWAY ENTRANCE PLAN
 SCALE: 1"=20'



Engineering • Land Surveying
Land Planning • 3D Scanning • UAV Mapping
6660 S Sheridan Rd Ste 210 Tulsa, OK 74135 (918)-665-3600

LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHEAST QUARTER (SE 4), OF SECTION TWENTY-THREE (23), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SAID SECTION TWENTY-THREE (23); THENCE NORTH 00°00'00" EAST, ALONG THE EASTERLY LINE OF SAID SE/4, FOR 24.75 FEET; THENCE NORTH 89°35'49" WEST, PARALLEL TO THE SOUTHERLY LINE OF SAID SE/4, FOR 541.80 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING NORTH 89°35'49" WEST 345.21 FEET; THENCE NORTH 00°00'00" EAST FOR 789.61 FEET; THENCE NORTH 72°40'00" EAST FOR 93.61 FEET TO A POINT OF CURVE; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 575.54 FEET, A CENTRAL ANGLE OF 13°59'08", A CHORD BEARING OF NORTH 79°39'34" EAST, A CHORD DISTANCE OF 140.14 FEET FOR AN ARC LENGTH OF 140.49 FEET; THENCE SOUTH 00°00'00" EAST FOR 33.11 FEET; THENCE SOUTH 89°31'12" EAST FOR 117.98 FEET; THENCE SOUTH 00°00'00" EAST FOR 810.98 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

TRACT OF LAND CONTAINING 282,507 SQ. FT. OR 6.49 ACRES MORE OR LESS.

LEGAL DESCRIPTION CERTIFICATION

I, SHAWN A. COLLINS, OF SISEMORE & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS AND IS A TRUE REPRESENTATION OF THE DESCRIPTION AS DESCRIBED. THIS LEGAL DESCRIPTION MEETS THE MINIMUM STANDARDS FOR LEGAL DESCRIPTIONS AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

SISEMORE & ASSOCIATES, INC.
BY SHAWN A. COLLINS

7/12/21
DATE

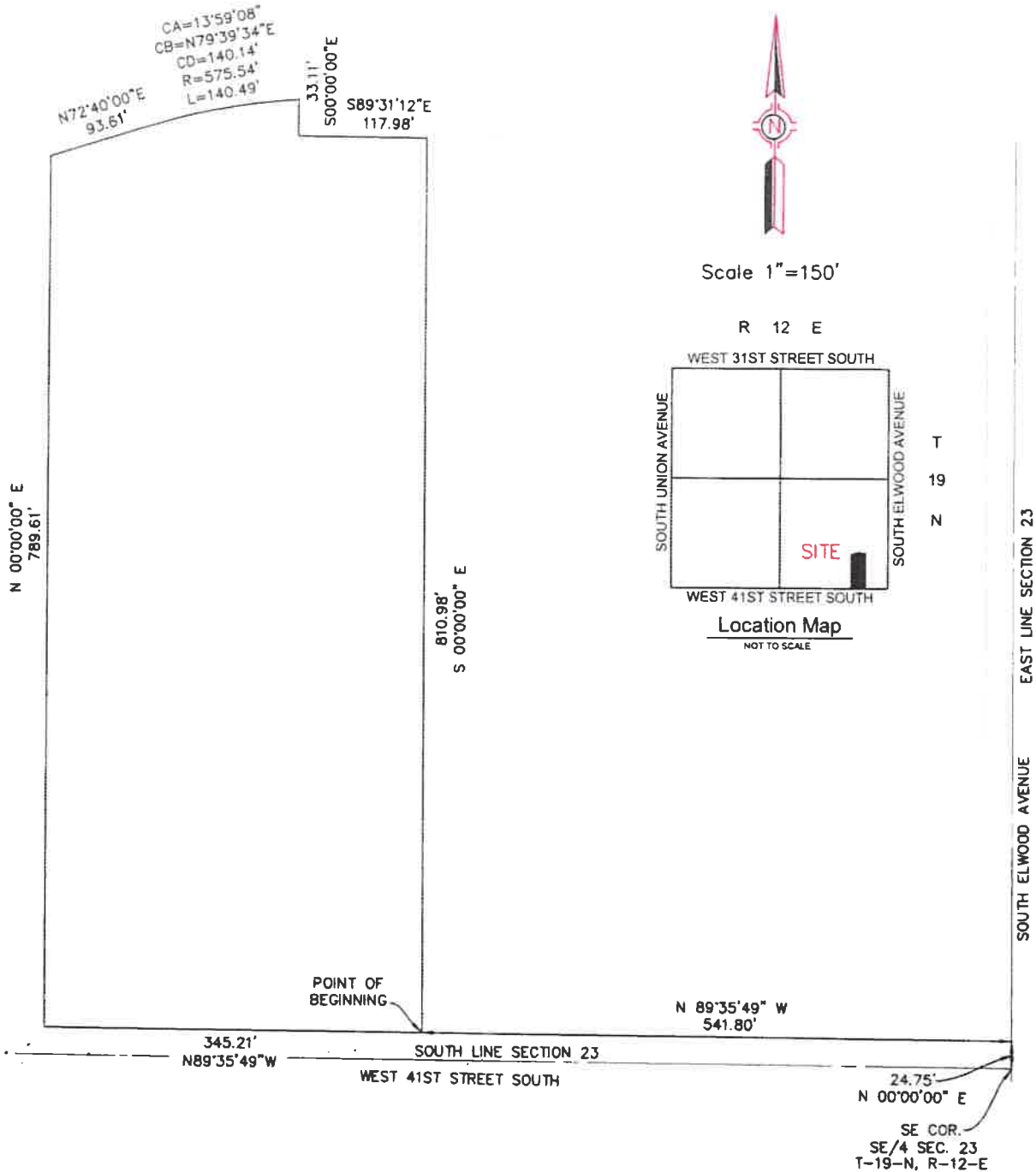
A handwritten signature in blue ink, appearing to read "Shawn A. Collins", is written over a horizontal line.

SHAWN A. COLLINS
LS No. 1178, STATE OF OKLAHOMA
C. A. NO. 2421 EXPIRES: 6/30/23



Exhibit

Part of the SE/4 of the SE/4 of
Section 23, T-19-N, R-12-E
Tulsa County, State of Oklahoma



**SISEMORE
& ASSOCIATES**

Surveying ~ Civil Engineering ~ Land Planning

6111 EAST 32nd PLACE
TULSA, OKLAHOMA 74135
C.A. NO. 2421

PHONE: (918) 665-3600
FAX: (918) 665-8668
EXP. DATE 6/30/23

(www.sw-assoc.com)

DATE: 7/12/21

ORDER #: 16397.12 FILE #: 19122300

ATTACHMENT B

General Information

ATTACHMENT B

General Information

1. FACILITY INFORMATION

- a. **Owner/Operator:** Name: Miller Environmental Transfer, LLC
 Address: 4231 S Elwood Ave, Tulsa OK 74107
 Contact: Todd Ray
 Title: President
 Phone: 918.447.2152
 Email: todd@millerenvtransfer.com
- b. **Facility:** Name: Material Processing Facility (MPF)
 Location: 3800 S. Elwood Ave, Tulsa OK 74107
 Mail Address: 4231 S. Elwood Ave, Tulsa OK 74107
 Contact: Todd Ray
 Title: Facility Manager
 Phone: 918.447.2152
 Email: todd@millerenvtransfer.com
- c. **Property Owner** Miller Investments and Properties, LLC
 PO Box 665
 Stroud, OK 74079-0665

A County record of ownership is shown in **Attachment C**.

d. **Tenancy Demonstration**

Documentation of tenancy for the site is included in **Attachment D**.

e. **Disclosure statement**

In accordance with 2252:515-3-31(g), the required Disclosures are provided in **Attachment E**.

f. General Location and Legal Description

The site is located within the City of Tulsa. The legal description of the leased tracts is provided below, which covers an area of ~~10.21~~ **16.80** acres and is located in Section 23, Township 19N, Range 12E. General Location Maps are shown in **Attachment F**.

Tract A:

Legal Description: A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHEAST QUARTER (SE/4), OF SECTION TWENTY-THREE (23), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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TRACT OF LAND CONTAINING 282,507 SQ. FT. OR 6.49 ACRES MORE OR LESS.

Tract B:

Legal Description: Beginning W24.75' NEC, SE/4, SE/4 TH W1291.30' TH S3872.11' TH SW12.13' TH S473.42' TH SE272.45' TH NELY ON CRV 407.53' TH NE213.30' TH ELY ON CRV140.49' TH N358.39' TH E635' TH N100' POB

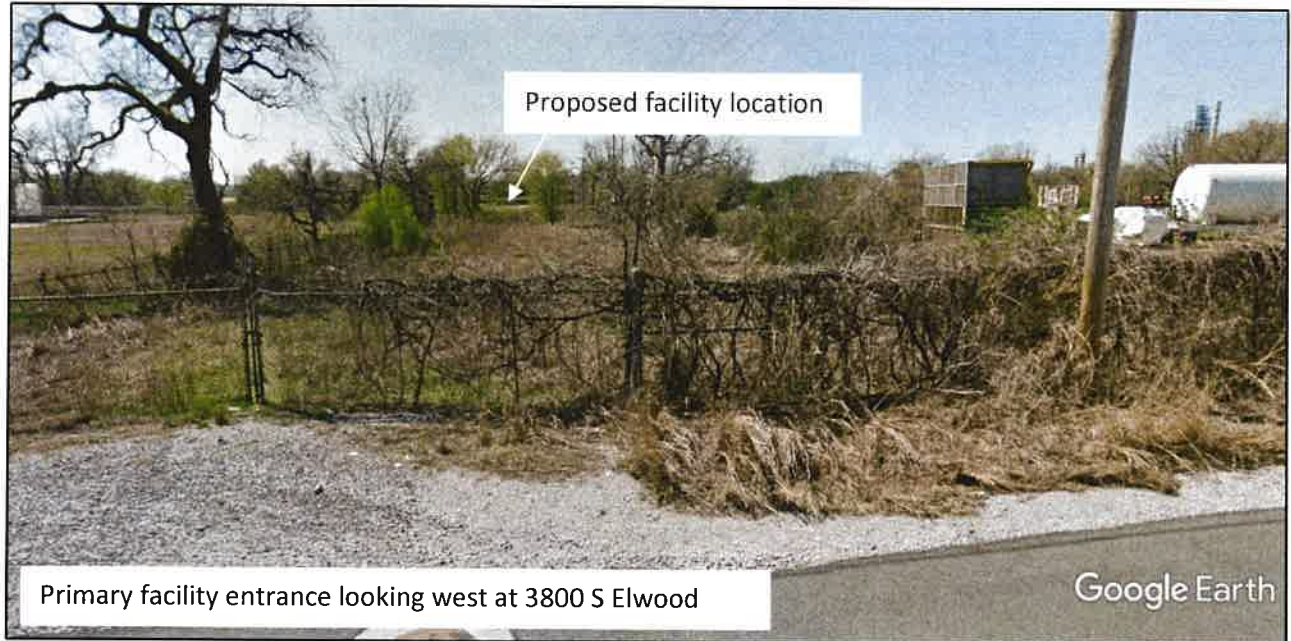
g. Aerial view of location



h. Aerial view of general area



i. Photos of facility entrances (pre-construction)



2. SITING REQUIREMENTS

a. Scenic Rivers

The facility will be located in the Arkansas River watershed. The Arkansas River has not been designated as a Scenic River in the Oklahoma Water Quality Standards.

b. Recreation/Preservation Areas

Historical Preservation Areas: There are no historical preservation areas located within ½ mile of the Subject Property.

Recreational Areas: There is a soccer complex located directly across the street from the primary facility entrance, which is also approximately ¼ mile east of the proposed Process Building location. The complex is named the *Westbank Soccer Complex*, and is a leased property for its current use, and managed by the *River Parks Authority*, a non-profit organization supported by the City of Tulsa and Tulsa County. The applicant has written to the River Parks Authority, and has had follow-up meetings, phone conversations and emails to help the River Parks Authority Director and Board of Trustees to better understand the proposed operation and potential impacts on the soccer complex operations. The feedback has been mostly positive and a letter to the DEQ from the River Parks Authority approving of the proposed operation is expected soon. (**Attachment K**).

c. Threatened and Endangered Species

Requests for review were submitted to the Oklahoma Department of Wildlife Conservation (ODWC) and the Oklahoma Biological Survey (OBS) on October 16, 2018. Correspondence with and information received from the two agencies is included in **Attachment L**.

The OBS response came from the Oklahoma Natural Heritage Inventory (ONHI) which provided a summary of all registered sittings of federal and state threatened, endangered or candidate species, as well as non-regulatory rare species and ecological systems of importance currently in the ONHI database for the facility location. They identified 12 occurrences

of relevant species being observed within the vicinity of the project location, which included the Bald Eagle and the Least Tern.

The ODWC identified threatened and endangered species that may be affected by the proposed project, as well as critical habitat for those species. They recommended that the ECOS-IPaC website be visited regularly during the planning and implementation phases to get updates for listed species and information.

Mammals

Northern Long-Eared Bat – Critical habitat are caves and trees, neither of which are present at the Subject Property. Facility construction and operation is not anticipated to impact any bats.

Birds

Least Tern - Least Terns nest on barren to sparsely vegetated sandbars along rivers, sand and gravel pits, lake and reservoir shorelines, and occasionally gravel rooftops. They hover over and dive into standing or flowing water to catch small fish. The Subject Property does not have these physical characteristics and impacts to Least Tern populations are not anticipated.

Piping Plover - Piping Plovers (*charadrius melodus*) are small shorebirds approximately seven inches long with sand-colored plumage on their backs and crown and white underparts. Plovers in the Great Plains make their nest on open, sparsely vegetated sand or gravel beaches adjacent to alkali wetlands, and on beaches, sand bars, and dredged material islands of major river systems. Breeding and wintering plovers feed on exposed wet sand in wash zones; intertidal ocean beach; wrack lines; wash over passes. Mud-, sand-, and algal flats; and shorelines of streams, ephemeral ponds, lagoons, and salt marshes by probing for invertebrates at or just below the surface. They use beaches adjacent to foraging areas for roosting and preening. Small sand dunes, debris, and sparse vegetation within adjacent beaches provides shelter from wind and extreme temperatures. The Subject Property is not located in an area which would be hospitable to Piping Plover. There are no beaches, wetlands, or shorelines. As a result, impacts to the Piping Plover are not anticipated.

Red Knot - Red Knot is a global species. There are three subspecies in North America, and each appears to be in decline. All three winter in South America where populations were found to have dropped by over 50% between the mid-1980s and 2003 when the birds were listed on the federally threatened species list. The IUCN Red List lists Red Knot as a Near Threatened species. The occurrence of large concentrations of knots at traditional staging areas during migration makes them vulnerable to pollution and loss of key resources. The Subject Property does not provide suitable habitat for Red Knot nesting or foraging and will not have an impact on these birds.

Bald Eagle – The Bald Eagle is not endangered but rather is listed by ONHI and ODWC because it warranted protection under the Bald and Golden Eagle Protection Act (1940) as a migratory bird species, by virtue of also being listed on the USFW Service Migratory Bird Resource List as being a Bird of Conservation Concern (BCC). Bald Eagles are commonly observed along the Arkansas River either in flight or nesting/resting in elevated trees (and occasionally on Power Poles). The Subject Property may have some minor tree removal during construction but not any that would be suitable habitat for the Bald Eagle. Industrial activity is so dense and common around the proposed operational area, that it's presence will have no effect on the Bald Eagle habitat or migration activities.

Insects

American Burying Beetle – The American Burying Beetle, known commonly as “ABB”, is a large, boldly-marked beetle with an overall black color, and four red-orange markings on its back. It is the largest North American species of carrion beetle, reaching between one and two inches in length. The ABB is currently listed by the U.S. Fish and Wildlife Service as an endangered species in several eastern Oklahoma counties including Tulsa County. The highest densities of American burying beetles are found in open oak-hickory forests with native grass cover. Populations also have been found in closed-canopy forests and within tallgrass prairie habitats. The two critical factors for ABB habitat are non-compacted soils to allow access to subsurface areas and the presence of a healthy and diverse small mammal or bird community as a food source.

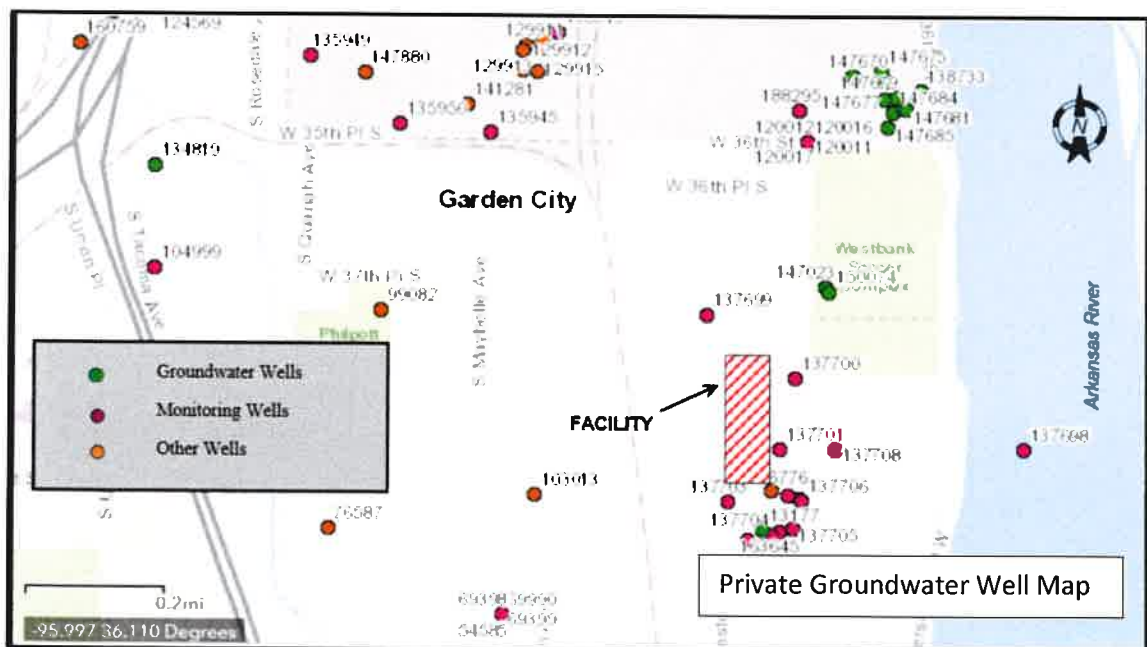
The ABB is nocturnal and spends daylight hours buried in loose soil and feeds at night almost exclusively on carcasses of dead animals. The ODWC webpage provides the results of ABB surveys in Oklahoma for the past six years, which show numerous surveys having been conducted in Tulsa County without a single positive finding. There is a small area of potentially suitable habitat along the strip of land where the entrance road is planned to be constructed. Historical site photos show that area as having been previously disturbed with presence of a gravel road. In addition, the facility location is surrounded by industrial sites that have been cleared for several years. Based on the past use and surrounding habitat, the entry road construction does not appear to be suitable habitat for cover and for food supply for the presence of ABB. Combined with the lack of sightings of ABB in Tulsa County locations suitable for the presence of ABB, and the small and unsuitable conditions for ABB habitat, it is highly unlikely ABB would be present at the location.

ODWC Conclusion: The letter response shown in Appendix L from the ODWC concluded that the project area does not contain critical habitat for any of the five (5) listed endangered or threatened species.

d. 100 Year Floodplain

The map below (also shown in Appendix J) shows the facility is not located within a 100-year floodplain, but rather with an area designated as “Zone X”. Zone X has a probability of a 0.2% chance of flooding on an annual basis, also known as the 500-year flood plain. The primary entrance and driveway into the facility is located within the 100-year floodplain, but no materials will be stored or processed in that area. If flooding of the primary entrance road were to ever occur, the secondary entrance would be used as an alternative route until the primary entrance became available after the flood waters had receded.

The search showed there are several private wells in the area as shown on the map below. None of the water supply wells (shown in green) are being used as a drinking water source, but rather for purposes of commercial, industrial or agricultural water supplies. Most of the borings in the immediate area are or were used for groundwater characterization or for obtaining geotechnical information.

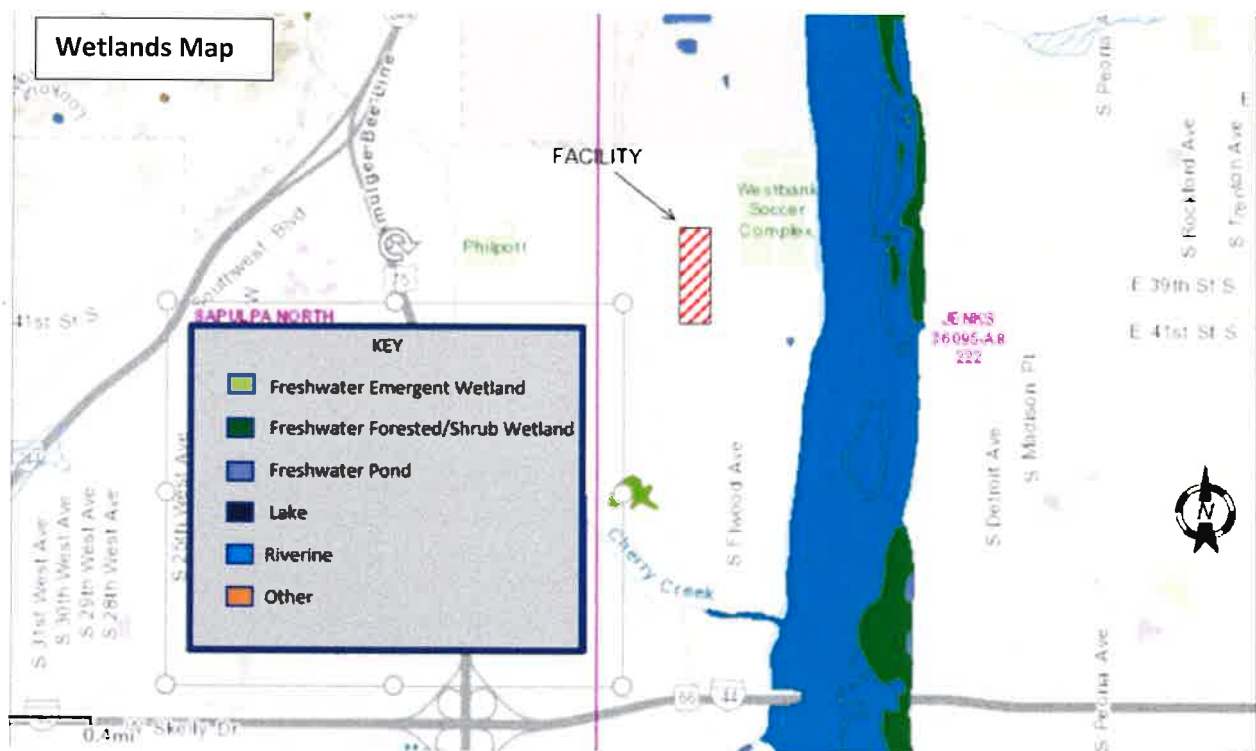


f. Wellhead Protection

According to OWRB records, there are no wellhead protection areas within Tulsa County.

g. Wetlands

See wetlands map below showing no wetlands on or near the subject site.



h. Subsurface Investigation

MPF is not planning to conduct a subsurface investigation since no disposal will occur at the facility, combined with storage of all waste materials being on impermeable surface surfaces and not exposed to stormwater.